

111TH CONGRESS
1ST SESSION

H. R. 2723

To amend the Social Security Act to provide for an exemption to allow an individual otherwise ineligible to travel outside the United States to do so for employment purposes to pay child support arrearages, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2009

Mr. GERLACH introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Social Security Act to provide for an exemption to allow an individual otherwise ineligible to travel outside the United States to do so for employment purposes to pay child support arrearages, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXEMPTION FOR CERTAIN INDIVIDUALS TO**
2 **TRAVEL OVERSEAS FOR EMPLOYMENT TO**
3 **PAY CHILD SUPPORT ARREARAGES.**

4 Section 452(k) of the Social Security Act (42 U.S.C.
5 652(k)) is amended—

6 (1) in paragraph (2), by striking “The Sec-
7 retary” and inserting “Except as provided in para-
8 graph (4), the Secretary”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(4)(A) In accordance with subparagraph (B),
12 the Secretary of State, in the Secretary’s discretion,
13 may exempt from the restrictions described in para-
14 graph (2) an individual who would otherwise be sub-
15 ject to such restrictions if the Secretary determines,
16 on a case-by-case basis, that such exemption is ap-
17 propriate to allow such individual to travel outside
18 the United States for the purpose of employment to
19 pay the arrearages referred to in paragraph (1).

20 “(B) In making a determination regarding an
21 exemption under subparagraph (A), such individual
22 shall submit to the Secretary a written offer of em-
23 ployment from the overseas employer and shall post
24 security sufficient to satisfy the arrearages at issue.

25 The Secretary shall determine if such offer is bona
26 fide and shall consider the amount of the arrearages

1 at issue, any ongoing support obligation, and wheth-
2 er such individual presents a risk of flight. The Sec-
3 retary may also take into consideration any other
4 factors the Secretary considers relevant or appro-
5 priate in making such a determination. The Sec-
6 retary may at any time reimpose on such individual
7 the restrictions described in paragraph (2) if the
8 Secretary determines that such is appropriate.”.

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